GP-1002

(75)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [CHHATTISGARH]

W. P. NO. 3779 **OF 2003**

PETITIONER

Arun Singh, S/o J.P. Singh, Sub-engineer aged about 45 years, Gramin Yantriki Seva, Janpat Panchyat, Balrampur, District – Surguja.

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Secretary, Panchyat & rural Development Department, D.K.S. Bhawan , Raipur.
2. Chief Executive Officer, Janpat Panchyat, Balram-pur, District – Surguja.
3. Deputy Secretary, Government of Chhattisgarh, Department of Panchyat & Rural Development, D.K.S. Bhawan, Raipur.

Served

P. R. No. 3582/03
Presented by Shri Gulab Bhagat
dated 15-11-03

RECEIVED-COPY
15-11-03
Clerk to A G. Bilaspur

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

(20)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 377 of 03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	21-11-2003 Shri Abhishek Sinha, counsel for the petitioner. Shri Ranbir Singh, Govt. Advocate takes notice for respondents 1 and 3. Heard both the counsel By this petition filed under Article 226 of the Constitution of India, the petitioner has challenged the order dated 1-10-2003 whereby the petitioner has been transferred at his own expense and on the ground of his request from Janpat Panchayat, Balrampur to Janpat Panchayat, Lundra. The case of the petitioner is that petitioner is working as Sub Engineer under the Gramin Yantriki Seva and presently posted at Janpat Panchayat, Balrampur. The petitioner has old parents father and mother aged about 75 years. As no medical facilities are available at his present place of posting, therefore, the petitioner made a representation to respondent Nos. 1 and 3 to transfer him at any place where the medical facilities are available so that his parents can receive proper medical treatment. On this, the petitioner received a letter Annexure-P/1 from respondent No.3 and in pursuant that the petitioner wrote a letter to the Deputy Secretary, copy of the same is Annexure-P/2. After receiving this request of the petitioner, respondents without considering the difficulty of the petitioner	

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

transferred him at Lundra and it has been said that the transfer has been effected on the request of the petitioner, whereas no medical facilities are available at Lundra, therefore, the impugned order be quashed.

Learned counsel for the petitioner submits that since the transfer in question has been made showing that it has been made on the request of the petitioner whereas, in fact, request of the petitioner has not been taken care of while issuing the transfer order. As no medical facilities are available at Lundra, therefore, the petitioner may be allowed to make a detailed representation before respondents 1 and 3 to which the learned counsel for respondents 1 and 3 has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances to respondent No. 1 and 3 within a period 15 days from today and in turn respondent No. 1 and 3 will consider the representation of the petitioner and after considering all his grievances shall pass reasoned order in an objective manner within a period 30 days from the date of receipt of the representation.

If the petitioner has already not been relieved from the post then he may be allowed to continue till the representation is decided.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Writ petition is disposed of accordingly. Consequently, M.(W.)P. No. 3403/2003 and I.A. No. 10,918/2003 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C.BHADOO** **Judge**	

Barwel